IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

Bail Appl..No. 7139 of 2007

(CR. NO. 74/2007 OF KASARAGOD EXCISE RANGE)

PETITIONER/ACCUSED:

1. G.SATHEESAN AGE 26/07.
   S/O.GOPALAN, NEAR KURUMBA BAGAWATHI TEMPLE,
   KATAPPURAM, KASABE VILLAGE, KASARAGOD.

2. R.RAJESH, AGED 29/07, S/O.PRABHAKARAN,
   KATAPPURAM, KASABE VILLAGE, KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS/COMPLAINANT:

THE SUB INSPECTOR OF POLICE,
KASARAGOD EXCISE RANGE, REPRESENTED BY THE
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. GIKKU JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 7139 of 2007

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Dated this the 21st day of November, 2007

O R D E R

Application for regular bail. The petitioners face allegations under the Kerala Abkari Act. They were allegedly found transporting 7 litres of arrack in an autorikshaw on 7.11.2007. They were arrested and they continue in custody from that date. The learned Prosecutor reports that the petitioners have no history of any criminal antecedents.

2. The learned counsel for the petitioners prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioners can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall not be released from custody on the strength of this order prior to 29.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) They shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) They shall make themselves available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of one month and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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